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Application Serial No. 10/663,225

Attorney Docket No. 22349-4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

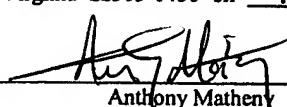
In re Application of: Stott et al.

Application Serial No.: 10/663,225

Filing Date: September 16, 2003

Title: User Interface for Automated Diagnostic Hearing Test

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

<p style="text-align: center;">CERTIFICATE OF MAILING 37 C.F.R. § 1.8</p> <p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on <u>May 31, 2005</u> 2005.</p> <p style="text-align: center;"> _____ Anthony Matheny</p>
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**WITHDRAWAL OF ITS FILING OF STATEMENT UNDER 37 C.F.R. § 3.73(b),  
BY ASSIGNEE OF OMITTED INVENTOR,  
TO ESTABLISH RIGHT OF PARTIAL ASSIGNEE TO TAKE ACTION  
AND  
SUBMISSION OF INFORMATION DISCLOSURE STATEMENT**

Biocell, L.P. files this its Withdrawal of its Filing of Statement Under 37 C.F.R. § 3.73(b), By Assignee of Omitted Inventor, To Establish Right of Partial Assignee to Take Action and Submission of Information Disclosure Statement.

On December 29, 2004, Biocell, L.P. filed in this Application a document entitled "Filing of Statement Under 37 C.F.R. § 3.73(b), By Assignee of Omitted Inventor, To Establish Right of Partial Assignee to Take Action and Submission of Information Disclosure Statement" (hereinafter referred to as the "Biocell Filing"). As alleged in the Biocell Filing, Biocell, L.P. contested whether Mr. Gary Dodd was an "omitted inventor" and that, pursuant to an assignment

from Mr. Dodd, Biocell, L.P. possessed an ownership interest in this Application. However, the court litigation referenced in the Biocell Filing has been resolved, and Biocell, L.P. no longer contests either the inventorship or ownership of the subject matter or claims of this Application as originally filed or that Mr. Dodd was not an omitted inventor of this Application.

In light of the foregoing, Biocell, L.P. respectfully requests that the Biocell Filing be withdrawn. Accordingly, Biocell, L.P. submits that it is unnecessary for the Office of Patent Legal Administration to resolve any ownership question with respect to this Application and that no correspondence regarding this application be sent to Biocell or its representatives.

Respectfully submitted,

Date: \_\_\_\_\_

5/26/2005



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